

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MICHAEL BUCKLEY

PETITIONER

V.

CIVIL ACTION NO. 3:18-CV-426-DPJ-FKB

SUPERINTENDENT J. BANKS

RESPONDENT

ORDER

This habeas petition filed under 28 U.S.C. § 2254 is before the Court on Respondent's Motion to Dismiss [7] and the Report and Recommendation [8] of United States Magistrate Judge F. Keith Ball. Judge Ball recommended dismissal for lack of jurisdiction as Petitioner Michael Buckley's request for relief is moot insofar as the Mississippi Department of Corrections has adjusted its records to reflect the change Buckley sought. Buckley failed to file objections to the Report and Recommendation, and the time to do so has now expired.

Because it agrees with Judge Ball that Buckley's request for relief is now moot, it adopts the unopposed Report and Recommendation [8] as the opinion of the Court. Respondent's Motion to Dismiss [7] is granted, and the petition is dismissed. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 20th day of May, 2019.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE